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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

DEC 8 2015

FLORENCE, S.C.

UNITED STATES OF AMERICA)

CRIM. NO. 15-868

v.)

18 U.S.C. § 371

18 U.S.C. § 1014

18 U.S.C. § 981(a)(1)(C)

18 U.S.C. § 982 (a)(2)(A)

28 U.S.C. § 2461(c)

MICHAEL LANE PREVETTE)

BRIAN KEITH PERDUE)

INDICTMENT

THE GRAND JURY CHARGES:

BACKGROUND

1. BRIAN KEITH PERDUE was an appraiser of real property.
2. MICHAEL LANE PREVETTE held himself out to be a businessman and real estate investor.

CONSPIRACY

3. Beginning at a time unknown to the grand jury, but beginning no later than January 2010, and continuing through on or about January 2011, in the District of South Carolina, the Defendants, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE, did conspire, combine, confederate, and agree with others, known to the grand jury, to knowingly make and cause to be made false statements and willfully overvalue any land and property for the purpose of influencing the action of mortgage lenders as described in Title 18, United States Code, Section 1014, in that the Defendants, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE, together with others both known and unknown to the grand jury, made and caused to be made false statements and reports, all in violation of Title 18, United States Code, Section 1014.

4. In the course of conspiracy MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE did, and caused to be done, the following:

- a. MICHAEL LANE PREVETTE arranged for the sale of properties in the Myrtle Beach area.
- b. In order to facilitate the sale of the properties, MICHAEL LANE PREVETTE arranged for the down payment to be made by a person other than the purchaser of the property. These payments were made without the knowledge of the lenders.
- c. At the direction of MICHAEL LANE PREVETTE, BRIAN KEITH PERDUE produced inflated appraisals for properties.
- d. MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE then caused the inflated appraisals to be submitted to the lenders to facilitate the approval of mortgages by various mortgage lenders as described in Title 18, United States Code, Section 1014.
- e. As a result of these fraudulent acts, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE aided in obtaining financing from mortgage lenders.

5. In furtherance of the conspiracy and to affect the objects thereof, the following overt acts were committed in the District of South Carolina and elsewhere:

- a. On or about January 8, 2010, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE knowingly made and caused to be made false statements and willfully overvalued any land and property for the purpose of influencing the action of a

mortgage lender as described by Title 18, United States Code, Section 1014, in that they made and caused to be made false statements and created and caused to be created false documentation and reports involved in an application, advance, purchase, loan, and mortgage.

- b. On or about February 23, 2010, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE knowingly made and caused to be made false statements and willfully overvalued any land and property for the purpose of influencing the action of a mortgage lender as described by Title 18, United States Code, Section 1014, in that they made and caused to be made false statements and created and caused to be created false documentation and reports involved in an application, advance, purchase, loan, and mortgage.
- c. On or about June 10, 2011, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE knowingly made and caused to be made false statements and willfully overvalued any land property and security for the purpose of influencing the action of a mortgage lender as described by Title 18, United States Code, Section 1014, in that they made and caused to be made false statements and created and caused to be created false documentation and reports involved in an application, advance, purchase, loan, and mortgage.
- d. On or about January 5, 2011, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE knowingly made and caused to be made false statements and willfully overvalued any land and property for the purpose of influencing the action of a mortgage lender as described by Title 18, United States Code, Section 1014, in that they made and caused to be made false statements and created and caused to be

created false documentation and reports involved in an application, advance, purchase, loan, and mortgage.

All in violation of Title 18, United States Code, Section 371.

FORFEITURE

A. CONSPIRACY TO MAKE FALSE STATEMENTS

1. Upon conviction for violations of Title 18, United States Code, Sections 371 and 1014 as charged in Count 1 of this Indictment, the Defendants, MICHAEL LANE PREVETTE and BRIAN KEITH PERDUE, shall forfeit to the United States any property, real or personal, constituting, derived from or traceable to proceeds the Defendant obtained directly or indirectly as a result of such offenses, pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(2)(A), and 28 U.S.C. § 2461(c).

B. The property subject to forfeiture includes, but is not limited to, the following:

Cash Proceeds/Money Judgment:

A sum of money equal to all proceeds the Defendant obtained directly or indirectly as the result of the offenses charged in this Indictment, or traceable to such property, that is a minimum of \$926,739.02 in U.S. currency.

C. SUBSTITUTE ASSETS:

1. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the Defendants –

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third person;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by 18 U.S.C. § 982(b)(1), to seek forfeiture of any other property of the said Defendant up to the value of the above described forfeitable property;

Pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(2)(A), and Title 28, United States Code, Section 2461(c).

A TRUE BILL

FOREPERSON

WILLIAM N. NETTLES (jcp)
UNITED STATES ATTORNEY